





Custom Printing Inc 2402 East Sixth Avenue PO Box 804 Belton, TX 76513 254/939-9373 254/939-1322 FAX 800/234-5740 WATS 800/330-4CPI WATS www.customcrest.com

July 11, 2011

United States Patent and Trademark Office

Attention: Douglas I. Wood

PO Box 1450

Alexandria, VA 22313

Re: 377 Petition - Patent Number 6,059,140

This letter is in reference to the petition and patent number as shown above. Please find our original statement submitted May 17, 2011 that outlines the details surrounding the payments on this patent. The 2nd maintenance fee payment that was sent to the USPTO on October 10, 2007 was for \$1,180 check #81940. A copy of the check that I kept in the file is attached. I believe that the payment may not have been received by the USPTO as the payment was sent to PA, just like the first and third payment. However, unlike with the 3rd maintenance fee that was paid on 3/29/11, I did not receive any notification of an address change nor did I receive the check back. Therefore, I had no reason to believe there was a problem with the 2nd maintenance fee payment. In fact, I was not made aware that the patent had been allowed to expire until after we mailed the third maintenance fee payment. All 3 payments were submitted to the PA address. The first check that was sent to the PA address was processed, the second check sent to the PA address does not appear to have been processed nor was it returned to us with an address correction, the third check which was also sent to the PA address was returned with an address correction and then immediately remailed to VA. Upon receipt of the third payment by the USPTO in VA, we were notified that the patent had expired. As explained previously, in researching this matter further, I found that we did not receive a notice of expiration because the address on file for the patent correspondence (unbeknownst to us) was for the original attorneys Kennedy Covington Lobdell and Hickman out of North Carolina, which were the attorneys for our competitors at the time we were awarded the rights to this patent in the settlement of a lawsuit. We were not notified of the expiration of this patent by these attorneys either.

Your help in this matter is most appreciated. As mentioned in our previous letter of May 17, 2011, this item that we have patented is an extremely important product for our business. It is quite clear based on the information supplied that the patent should be revived due to unavoidable circumstances, which are two fold. First, the patent maintenance fees were paid in a timely manner to the PA address on file in both 2007 and 2011 as evidenced by checks attached. Second, we never received an expiration notice so that we could quickly see why the patent had been slated for expiration. If we had received a notice, we would have immediately researched the situation and taken immediate action to resolve the matter. However, it did not come to our attention that the patent had expired until we submitted the third payment as scheduled. Upon receiving notice that there was a problem with this patent, we immediately began to research and respond in a timely fashion.

With my May 17, 2011 letter, I resubmitted per your instructions three separate checks, one for \$1,240 which represents the 2007 payment (current 7 ½ year fee) and a check for \$2,055 which represents the 2011 payment (11 ½ year fee) and a check for \$700 which represents the surcharge fee. With this letter, please find the petition fee of \$200 which is attached as requested in your letter dated 6/23/11. I have also attached the statement under 37 CFR 3.73 (b) as I, the assignee, has signed this petition. I have also attached the form to change the address for all future correspondence concerning this patent.

We appreciate your consideration in this matter. If there is any additional information or monies that are due, please do not hesitate to contact me. My email is renaew@customcrest.com. My phone number is (254)899-7169. I will address any concerns that you may have immediately so that we may get this matter resolved as quickly as possible.

07/22/2011 DALLEN 00000003 6059140

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200.00 OP

Best Regards,

Kenae Ward, Corporate Vice President

Custom Printing Inc.



Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 www.uspto.gov

CUSTOM PRINTING II, LTD. P.O. BOX 804
BELTON, TX 76513-0804

April 13, 2011

NOTICE OF NON-ACCEPTANCE OF PATENT MAINTENANCE FEE

COPY

REGARDING PATENT NUMBER: 6059140	PAYMENT STATUS:
Payment Vegr. 11.5 (2.7.3.5.7.5.11.5)	Payment will be refunded electronically by EFT.
Payment Year11.5 (e.g., 3.5, 7.5, 11.5)	
PAYMENT RECEIPT DATE 04/08/2011 (Mailroom Date Stamp)	
.,	
Your payment was not accepted for the following reason(s):
1. The maintenance fee for the above-identified patent was prev Information regarding the previous payment is stated in item	iously paid on 8 below.
2. The patent expired on <u>05/09/2008</u> . See "Patent Expiration	on" section below.
3. The fee was paid too early. See 37 CFR 1.366(b). Pursuant for the above-identified patent on	
4. Your payment was not sufficient to cover the maintenance fe patent. An additional amount of is/was required	e and any required surcharge for the aboveidentified
5. The above-identified patent was reissued. In accordance with application number must be provided.	
6. The payment did not include corresponding patent and applic	ation numbers, and was not specially accepted.
7. The above-identified patent is not subject to maintenance fee before 12/11/80. No maintenance fees are due on design pat (The "Resubmitting Maintenance Fee Payment" and "Patent	No maintenance fees are due on utility patents filed
□ 8. Other:	
Resubmitting Maintenance Fee Payment	
The six (6) month "grace period" for paying the maintenance fee for ends on In addition to the maintenance fee of \$ the 6 month "grace period" is required to include a surcharge of \$ the following period of	or the above identified patent begins on and
To avoid patent expiration, the maintenance fee plus any required s all of the indicated reason(s) for payment non-acceptance and must period" ends. Send by facsimile to the Office of Finance, Mainten following address: Mail Stop M Correspondence, Director of the U to the attention of the individual who has signed below.	urcharge must be resubmitted in a manner that rectifies be filed on or before the date the 6 month "grace ance Fee Branch at (571) 273-6500, or by mail to the
Patent Expiration	
The date the six (6) month "grace period" ends becomes the expirar amount for paying the maintenance fee is not filed in the USPTO be reinstated if a petition as set forth in 37 CFR 1.378 is granted. I number 5 or 6 above is the only reason indicated for payment non-accepted if resubmitted with a petition as set forth in 37 CFR 1.377	y that date. See 37 CFR 1:362(g). Expired patents may fithe above identified patent has expired and reason coeptance, it is possible that the payment may be
If you have any questions regarding this Notice, contact the Office of Final Please ask for the individual who has signed below.	· · · · · · · · · · · · · · · · · · ·
Rieu Tran (571) 272-6322 Printed Name of USPTO Representative	Signature of USPTO Representative
rames rame of Ool 10 representative	orginature of Oor 10 Kepresentative

NOTE: All USPTO fees (including patent maintenance fees) are subject to change. If you are making a payment, visit the www.uspto.gov website or contact the Office of Finance to verify the amount due on the date payment is to be made. A maintenance fee payment can be timely made using the certificate of mailing or transmission procedure set forth in 37 CFR 1.8.

_____, or for which a copy thereof is attached.

Approved for use through 07/31/2012. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. STATEMENT UNDER 37 CFR 3.73(b) Applicant/Patent Owner: Custom Printing. Inc Application No./Patent No.: 09/2(3,127/6,059,140 Filed/Issue Date: 3-5-99/5-9-00 Titled: Insulated jacket for a beverage container and bla and method for fabricating same. (Name of Assignee) Type of Assignee, e.g., corporation, partnership, university, government agency, etc. states that it is: the assignee of the entire right, title, and interest in; an assignee of less than the entire right, title, and interest in (The extent (by percentage) of its ownership interest is %); or the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made) the patent application/patent identified above, by virtue of either: An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy therefore is attached. OR В. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows: The document was recorded in the United States Patent and Trademark Office at , Frame , br for which a copy thereof is attached. 2. From: To: The document was recorded in the United States Patent and Trademark Office at Frame______, or for which a copy thereof is attached. 3. From: To:

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11. [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

Reel _____, Frame____

Additional documents in the chain of title are listed on a supplemental sheet(s).

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee. Signature Printed or Typed Name

The document was recorded in the United States Patent and Trademark Office at

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/123 (11-08)

Approved for use through 11/30/2011. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Patent Number CHANGE OF Issue Date **CORRESPONDENCE ADDRESS** Application Number Patent Filing Date Address to: Mail Stop Post Issue First Named Inventor Commissioner for Patents Vorderkunz P.O. Box 1450 Attorney Docket Alexandria, VA 22313-1450 Number Please change the Correspondence Address for the above-identified patent to: The address associated with Customer Number: OR Firm or Custom Printing, Inc. Individual Name **Address** ZIP 76513 State City Country 939-9373 Email robin b @ custom crest Telephone This form cannot be used to change the data associated with a Customer Number. To change the existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124). This form will not affect any "fee address" provided for the above-identified patent. To change a "fee address" use the "Fee Address Indication Form" (PTO/SB/47). I am the:

Patentee. Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96). Attorney or agent of record. Registration Number __

Signature Typed or

Printed Name

Telephone NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Post Issue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO.

: 6,059,140

DATED

: May 9, 2000

INVENTOR(S) : Michael E. Hicks

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page,

Item [75], delete the name and address "Michael E. Hicks, Mesquite, Texas" and insert therefor the name and address -- Thomas L. Vorderkunz, Waco, Texas --.



Signed and Sealed this

Twenty-sixth Day of November, 2002

JAMES E. ROGAN Director of the United States Patent and Trademark Office

Attesting Officer



UNITED STATES PATENT AND TRADEMARK OFFICE

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office

JULY 13, 2006

PTAS

TIMOTHY S. CORDER VISON & ELKINS, L.L.P. 2 MIIA FORTUNA, SUITE 100 AUSTIN, TX 78746 CORRECTED NOTICE

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272 3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 06/28/2006

REEL/FRAME: 017870/0349 NUMBER OF PAGES: 5

BRIEF: FINDINGS OF FACT AND ORDER OF DISMISSAL

DOCKET NUMBER: CUSSS45/3-001

ASSIGNOR:

NUMO MANUFACTURING ACQUISTION CORPORATION

DOC DATE: 01/30/2001

ASSIGNEE:

CUSTOM ERENTING, INC. 2402 EAST 6TH AVENUE BELTON, TEXAS 76513

SERIAL NUMBER: 09263127

FILING DATE: 03/05/1999

PATENT NUMBER: 6059140

ISSUE DATE: 05/09/2000

TITLE: INSULATED JACKET FOR A BEVERAGE CONTAINER AND BLANK AND METHOD FOR

FABRICATING SAME

VENDOR 10039 CHECK: 0000081940 UNITED STATES PATENT & TRADEMARK OFFICE

DATE: COMMENT:

10/10/2007

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VENDOR: 10039 CHECK: 0000081940 DATE: 10/10/2007 REMIT TO: UNITED STATES PATENT & TRADEMARK OFFIC COMMENT: INVOICE VOUCHER COMMENT DISCOUNT NET AMOUNT AMOUNTS 6059140 10/10/2007 PATENT #6,059,140 - MAINT. FEE 0.00 1,180.00 0000027856 1,180.00

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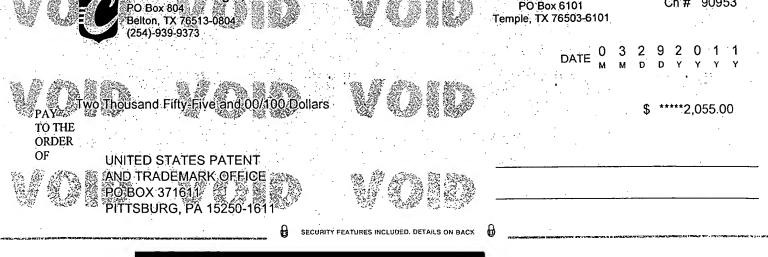
Net invoice amt Discount **Deductions** Invoice # Invoice amt Inv date 0.00 2,055.00 2,055.00 03/28/11 P# 6059140 2,055.00 0.00 TotalsCustom Printing II, Ltd. 2,055.00 0.00 Date 03/29/11 Ch# 90953 605914 UNITED STATES PATENT Net invoice amt **Deductions Discount** Invoice # Inv date Invoice amt 2,055.00 0.00 P# 6059140 03/28/11 2,055.00 Patent#6,059,140 -2011 Maintenance fee ustom Printing II. Ltd 90953 Custom Printing II, Ltd. Extraco Banks PO Box 804 Belton, TX 76513-080 (254)-939-9373 PO Box 6101 Temple, TX 76503-6101

605914

UNITED STATES PATENT

Ch # 90953

Date 03/29/11





Custom Printing II, Ltd. 2402 East Sixth Avenue P.O. Box 804
Belton, TX 76513 254/939-9373 254/939-1322 FAX 800/234-5740 WATS 800/330-4CPI WATS www.customcrest.com

May 17, 2011

United States Patent and Trademark Office Attention: Office of Petitions
PO Box 1450
Alexandria, VA 22313-1450

Re: 377 Petition -- Patent Number 6,059,140

Please accept this letter as a petition to revive a patent that you recently informed us has expired. In a phone conversation with April, I was advised to send a letter of explanation & proof that we sent in our last two maintenance payments. We just recently were informed that this patent expired when we made the 11 year patent maintenance fee payment in March of 2011. Apparently, our previous payment made in 2007 was not received by USPTO. As requested, please see below for details surrounding the payments on this patent.

- A check in the amount of \$2,055 was mailed on 3/29/2011 for the 11 year maintenance fee. It was check#90953. The check was mailed to USPTO in Pittsburg, PA. It was returned to us for address change. We forwarded the check to the new address in VA. This payment was received by the USPTO office in a timely manner.
- We received a notice on April 20, 2011 that the payment was not accepted because the patent had expired on 5/9/2008. I immediately called the patent office and discussed the problem with Kieu Tran. In our discussion, she stated that USPTO did not show receiving the payment that we mailed in 2007. At that time, I faxed over all relevant data to Kieu Tran. Upon speaking with her on May 13, 2011, she informed me that I would have to contact the office of petitions.
- The 7 year maintenance fee payment was paid by check in the amount of \$1,180. The check was mailed out on 10/10/2007. It was check #81940. The check was mailed to USPTO, Po Box 371611, Pittsburg, PA 15250. A copy of the stub that I kept in my file is attached.
- We never received a notice that the patent had expired and obviously in fact believed that this patent was still in force. Upon speaking with Kieu Tran, I checked into why we would not have received an expiration notice, and found that the original patent attorneys Kennedy Covington Lobdell & Hickman out of North Carolina were still listed as the contact for this patent. They were the attorneys for our competitor. We were awarded rights to this patent in the settlement of a lawsuit. If a notice was sent to them, they never bothered to re-forward it to us. I verified with all staff involved here on our end, and can assure you that we did not receive any notice of the expiration of this patent. If we had, we would have taken prompt action!

I can assure you that we would never have knowingly let this patent expire. We made payments in 2004, 2007, and this last one in 2011. We did not know that the payment was not received in 2007. Additionally, we did not receive an expiration notice. Had we received a notice of expiration, we would have acted upon it promptly. Upon receiving our 11 year payment back and finding out that the patent had expired, we immediately got to work to find out what happened as well as how to revive the patent promptly.









This item that we have patented is an extremely important product for our business. We are in a highly competitive industry and this product is one of the leaders within our industry. It is imperative that this patent remain in force. We are willing to pay any fees associated with reviving the patent. From what I understand, you will need us to resubmit the 7½ yr payment that you did not receive at the current rate of \$1,240, the 11½ yr payment of \$2,055 as well as a \$700 surcharge since it has expired. If there are any other fees, just let us know and we will submit all payments promptly!

It is quite clear based on the information supplied above that the patent should be revived due to unavoidable circumstances. The unavoidable circumstances are two fold. First, we made the patent maintenance fee payments in plenty of time in both 2007 and again in 2011. Second, we never received an expiration notice so that we could quickly see why the patent had been slated for expiration. Had we received a notice, we would have researched the 2007 payment much earlier to see that it had not been applied and would have had the opportunity to resubmit another payment immediately if necessary. Included are the separate checks for the 2007 (7½yr) payment of \$1,240, the 2011 (11½yr) payment of \$2,055 that had been refunded to us by USPTO, and a check for the \$700 surcharge fee. Additionally, I will need to know what I need to do to change the correspondence address to ensure that we receive all communication in the future. Please feel free to contact me at (254)899-7169. Your consideration into this matter is greatly appreciated.

Best Regards, Renae Ward, Corporate Vice President Custom Printing II Ltd PO Box 804 Belton, Texas 76513 UNITED STATES PATENT

Inv date 05/17/11 Invoice #

2007-MAINT 7.5 yr

Invoice amt 1,240.00

Date 05/17/11 **Deductions**

Ch # 91289 **Discount**

Net invoice amt

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Patent # 6059140

Gustom Printing II, Ltd.

Custom Printing II, Ltd. PO Box 804 Belton, TX 76513-0804 (254)-939-9373

One Thousand Two Hundred Forty and 00/100 Dollars



Extraco Banks PO Box 6101 Temple, TX 76503-6101

91289 Ch # 912898/1119

DATE 0 5

TO THE

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SECURITY FEATURES INCLUDED. DETAILS ON BACK

605914 UNITED STATES PATENT

Invoice #

2011-MAINT

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Ch # 91290 Discount

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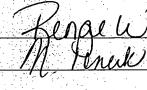
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OF

UNITED STATES PATENT AND TRADEMARK OFFICE, POJBOX 979070 ST LOUIS, MO 63197



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UNITED STATES PATENT

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Invoice amt

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05/17/11

5-16-11

Surcharge

700.00

Patent # 6059140

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Custom Printing II, Ltd.: PO Box 804 Belton, TX 76513-0804 (254)-939-9373

Extraco Banks PO Box 6101 Temple, TX 76503-6101 Ch# 912948/1119

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SECURITY FEATURES INCLUDED. DETAILS ON BACK